

REMARKS

Initially, Applicants would like to thank Examiner Venkat for the courteous and helpful Interview conducted November 26, 2007, in this case.

In accordance with the Interview, Applicants have amended claim 1 by including the formula set forth in claim 1 of U.S. patent 6,958,155. New claims 149-153 specifically directed to copolymers having dimethicone units and nylon 611 units have been added.

Also in accordance with the Interview, Applicants have amended the claims so that they are directed to a method of applying a transfer-resistant composition instead of a method of making up a keratin material.

The Office Action rejected the pending claims under 35 U.S.C. § 112, first paragraph. Applicants respectfully submit that the above amendments have rendered this rejection moot, and that the rejection should be reconsidered and withdrawn.

Submitted concurrently herewith is a Terminal Disclaimer over the applications/patents identified in the related case statements submitted in this case.

Finally, Applicants note that at the time the present invention was made, the present invention (and, thus, the present application) and the applications identified in the related case statements submitted in this case were owned by, or subject to an obligation of assignment to, L'Oréal. Accordingly, such references are not available as prior art under 35 U.S.C. § 103(c). See, MPEP 706.02.

Applicants believe that the present application is in condition for allowance.
Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Jeffrey B. McIntyre
Registration No. 36,867

Customer Number

22850

Tel #: (703) 413-3000
Fax #: (703) 413-2220